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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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HAROLD OTTO BRYSON,

Plaintiff,

v.

KELLYE JILL POTTER; MICHAEL D.  
DIREDA; and SCOTT M. HADLEY,

Defendants.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

Case No. 1:12-cv-00202-JNP-JCB

Judge Jill N. Parrish

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Magistrate Judge Jared C. Bennett issued a Report and Recommendation that the court deny plaintiff Harold Otto Bryson's motion to reopen his case (ECF No. 34). ECF No. 37. Judge Bennett notified Bryson that a failure to file a timely objection to his recommendation could waive any objections to it. No objection was filed within the allotted time.

Because Bryson did not object to the Report and Recommendation, any argument that it was in error has been waived. *See United States v. One Parcel of Real Prop.*, 73 F.3d 1057, 1060 (10th Cir. 1996). The court will decline to apply the waiver rule only if "the interests of justice so dictate." *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991). The court has reviewed the Report and Recommendation and concludes it is not clearly erroneous. Thus, the court finds that the interests of justice do not warrant deviation from the waiver rule and ADOPTS IN FULL the Report and Recommendation.

Accordingly, the court ORDERS as follows:

1. The Report and Recommendation, ECF No. 37, is ADOPTED IN FULL.
2. Bryson's motion to reopen his case, ECF No. 34, is DENIED.

**DATED** July 14, 2022.

BY THE COURT:

A handwritten signature in purple ink, reading "Jill N. Parrish", is written over a horizontal line.

JILL N. PARRISH  
United States District Judge